

1        Melissa Newel (#148563)  
2        NEWEL LAW  
3        2625 Alcatraz Ave., Suite 132  
4        Berkeley, CA 94705  
      (510) 316-3827  
      mnnewel@newellawfirm.com

5 Attorney for Plaintiff  
6 MICHELLE YVETTE BENAVIDEZ

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

11 MICHELLE YVETTE BENAVIDEZ,  
12 Plaintiff,  
13 v.  
14 KILOLO KIJAKAZI,  
15 ACTING COMMISSIONER OF  
16 SOCIAL SECURITY,  
Defendant.

No. 1:23-CV-00773-BAM

**STIPULATION FOR BRIEFING  
EXTENSION; [PROPOSED] ORDER**

23 Plaintiff, Michelle Yvette Benavidez, filed the above-referenced Social Security disability  
24 appeal on May 19, 2023. (ECF Doc. 1) On July 18, 2023, the defendant Acting Commissioner of  
25 Social Security responded to Plaintiff's Complaint by lodging a copy of the administrative record.  
26 (ECF Doc. 9) Pursuant to the Court's Scheduling Order, Plaintiff's motion for summary judgment  
27 is currently due on August 17, 2023. (ECF Doc. 3, p. 2:17-18)

1 The parties hereby stipulate that Plaintiff, upon Court approval, be granted a first-time  
2 extension of forty-five (45) days for the filing of the Opening Brief. (ECF Doc. 3, p.3:17-19)  
3 Plaintiff's counsel makes the request due to multiple conflicting filing deadlines and counsel's  
4 effort to be an effective advocate for Plaintiff while avoiding interference with other existing  
5 filing deadlines before this Court. Plaintiff's requested extension would result in the Opening  
6 Brief being due on or before October 2, 2023.

Respectfully submitted,

8 || Dated: August 11, 2023

## NEWEL LAW

By: Melissa Newel  
Melissa Newel  
Attorney for Plaintiff  
MICHELLE YVETTE BENAVIDEZ

13 || Dated: August 11, 2023

PHILLIP A. TALBERT  
United States Attorney  
MATHEW W. PILE  
Associate General Counsel  
Office of Program Litigation, Office 7  
Social Security Administration

By: Justin L. Martin  
JUSTIN L. MARTIN  
(Authorized by email dated 08/11/2023)  
Special Assistant U.S. Attorney  
Attorneys for Defendant

1 **ORDER**  
2

3 Pursuant to stipulation and good cause having been shown, IT IS ORDERED that Plaintiff  
4 shall be granted an extension of forty-five (45) days to file her Opening Brief. The Opening Brief  
5 shall now be filed on or before **October 2, 2023**, and all corresponding deadlines are modified  
6 accordingly.

7 IT IS SO ORDERED.

8 Dated: August 14, 2023

9 /s/ Barbara A. McAuliffe  
10 UNITED STATES MAGISTRATE JUDGE

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28